
SENATE BILL No. 78

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-12-44.

Synopsis: Property tax deduction for farm security items. Provides a property tax deduction not to exceed \$50,000 assessed value per year relating to secure storage of fertilizers and pesticides that could be used for terrorism or illegal drug manufacturing.

Effective: January 1, 2007.

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January 9, 2006, read first time and referred to Committee on Tax and Fiscal Policy.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 78

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-12-44 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2007]: **Sec. 44. (a) For purposes of this section:**

4 (1) "facility" means real property improvements or personal
5 property, or both, that are used in a person's agricultural,
6 commercial, or industrial operation at a single location;

7 (2) "fertilizer" refers to a fertilizer that:

8 (A) is subject to the fertilizer storage rules adopted by the
9 state chemist under IC 15-3-3-12; and

10 (B) could be used for terrorism or illegal drug
11 manufacturing; and

12 (3) "pesticide" refers to a pesticide that:

13 (A) is subject to the pesticide storage rules adopted by the
14 state chemist under IC 15-3-3.5-11; and

15 (B) could be used for terrorism or illegal drug
16 manufacturing.

17 (b) Subject to subsection (d), a person is entitled to an annual



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property tax deduction in an amount equal to the assessed value of any of the following that are used at or are used as part of a facility to deter the theft of a fertilizer or pesticide:

- (1) A fence.
- (2) Exterior lighting.
- (3) A camera.
- (4) An alarm system.

(c) Subject to subsection (d), a person is entitled to an annual property tax deduction in an amount equal to the part of the assessed value of a fertilizer or pesticide located at a facility that is attributable to a chemical:

- (1) added to; and
 - (2) designed to deter the theft of;
- the fertilizer or pesticide.

(d) The annual sum of:

- (1) the deduction authorized under this section for personal property; plus
- (2) the deduction authorized under this section for real property;

for a facility may not exceed fifty thousand dollars (\$50,000).

(e) To obtain a deduction under this section, a person must file a certified statement in duplicate, on forms prescribed by the department of local government finance, with the auditor of the county in which the property is subject to assessment. With respect to real property, the statement must be filed not later than May 10 of the assessment year. With respect to personal property, the statement must be filed not later than:

- (1) the personal property return due date for the assessment year; or
- (2) if the person obtains a personal property return filing extension under IC 6-1.1-3-7(b), the extended due date for the assessment year.

Upon the verification of the statement by the assessor of the township in which the property is subject to assessment, the county auditor shall allow the deduction.

SECTION 2. [EFFECTIVE JANUARY 1, 2007] IC 6-1.1-12-44, as added by this act, applies to property taxes first due and payable after December 31, 2007.

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